## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

WHO MIDCO CORPORATION,

Plaintiff,

v.

Civil Action No. 05-049-JJF

JOHN DOES ONE through TEN,

Defendants.

## **NOTICE OF DISMISSAL**

Please take notice that, pursuant to Fed. R. Civ. P. 41(a)(1), plaintiff WHO Midco Corporation dismisses this action without prejudice.

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Maryellen Noreika

Maryellen Noreika (#3208) 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899-1347 (302) 658-9200 Attorneys for Plaintiff WHO Midco Corporation

## OF COUNSEL:

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September 15, 2005